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General and complete disarmament

Problems arising from the accumulation of conventional ammunition stockpiles in surplus

Report of the Secretary General

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* A/61/50 and Corr.1.

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I. Introduction

1. By resolution 60/74 of 8 December 2005 on "Problems arising from the accumulation of conventional ammunition stockpiles in surplus" the General Assembly recalled the recommendation contained in paragraph 27 of the report of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,[1] namely, to address the issue of small arms and light weapons ammunition in a comprehensive manner as part of a separate process conducted within the framework of the United Nations. In the meantime, the Assembly encouraged all States to examine the possibility of developing and implementing, within a national, regional and subregional framework, measures to address the illicit trafficking related to the accumulation of such stockpiles.

2. The Assembly also appealed to all interested States to determine the size and nature of their surplus stockpiles of conventional ammunition, whether they represent a security risk, if appropriate, their means of destruction and whether external assistance was needed to eliminate the risk. Furthermore, it encouraged States in a position to do so to assist interested States within a bilateral framework or through international or regional organizations, on a voluntary and transparent basis, in elaborating and implementing programmes to eliminate surplus stockpiles or improve their management. Finally, the Assembly requested the Secretary-General to seek the views of Member States regarding the risks arising from the accumulation of conventional ammunition stockpiles in surplus and regarding national ways of strengthening controls on conventional ammunition and to submit a report to the General Assembly at its sixty-first session.

3. Pursuant to that request, a note verbale dated 27 February 2006 was sent to Member States requesting their views on the subject. The replies received are reproduced in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Member States

Bolivia

[Original: Spanish]
[17 April 2006]

Resolution 60/74, adopted by the United Nations General Assembly on 8 December 2005, requested all interested States to assess, on a voluntary basis, whether, in conformity with their legitimate security needs, parts of their stockpiles of conventional ammunition should be considered to be in surplus, recognizing that the security of such stockpiles must be taken into consideration and that appropriate controls with regard to the security and safety of stockpiles of conventional ammunition are indispensable at the national level in order to eliminate the risk of explosion, pollution or diversion.

[1] A/60/88 and Corr.2.

The Bolivian armed forces voluntarily and on a regular basis carry out plans for the destruction of grenades, bombs, fuses and other explosive devices that are exuded, dud or unusable.

Bolivia supports any proposal aimed at reducing or eliminating devices that are harmful to health or likely to cause unnecessary human suffering, especially in view of the threat represented by the illicit trafficking of firearms.

Georgia

[Original: English]
[19 May 2006]

Accumulation of conventional ammunition stockpiles in surplus (General Assembly resolution 60/74)

1. High altitude air defence missiles (KRUG and S-75)

According to the Memorandum of Understanding between Georgia and NATO Maintenance and Supply Agency (NAMSA) on "Demilitarization of Guided Missiles", inventory, monitoring and full demilitarization of high altitude air defence missiles placed on the territory of Georgian Armed Forces started in August 2005 (216 KRUG missiles). To date 216 missiles have been destroyed. According to the contract (26.11.2003 #LU/4600000811) between Georgia and NATO Maintenance and Supply Agency (NAMSA), demilitarization of S-75 high altitude air defence missiles is now being carried out. The hard missile fuel (RST-4K; 160 t. of TNT) is being processed into industrial explosive material.

2. Anti-aircraft-artillery and air combat materials

Based on the Agreement between the Organization for Security and Cooperation in Europe (OSCE) and Georgia (24 October 2005) "Recycling and Destruction of Stockpiles of Ammunition on Former Soviet Military Bases in Georgia", it is planned to demilitarize (destroy) expired and useless anti-aircraft-artillery and air combat materials stockpiled at the Dedoplistskaro and Vartsikhe military bases of the Ministry of Defence of Georgia. Besides, in accordance with the recommendations (reports #20 from 19 January 2002 and #28 from 22 August 2003) of the Georgian National Security Council and its Permanent Interagency Commission on Military-Technical Issues, based on the quantity of combat materials stockpiled at the Dedoplistskaro and Vartsikhe military bases, the project of demilitarizing the above-mentioned expired and useless combat materials has been carried out. The project is financed by OSCE and includes the following:

- Demilitarization of low weight PTAB-2.5 (10,200 units) and AZLB-65KS aircraft ammunition (1136 units) stored in Vartsikhe Base;
- Demolition of 100 mm anti-aircraft and artillery rounds (10,000 units) stored in Dedoplistskaro Base;
- Destruction of fuses and percussion caps (10,000 units) stored at Dedoplistskaro Base;
- Processing-packing of TNT (10 tons);

- Building and maintenance jobs to assemble and put in operation Ukrainian-made industrial site for extracting and melting TNT;
- Extraction of TNT from shells and aviation bombs (10,000 units).

The above-mentioned project started in November 2005 and will end in August 2006.

3. **Unguided anti-hail missiles ALAZANI and CRISTAL**

7,700 units of unguided anti-hail missiles ALAZANI and CRISTAL have been stockpiled in the stores for combat materials of the Ministry of Defence of Georgia. The uselessness of these missiles was determined by the commission created by decree of the Chief of General Staff of the Georgian Armed Forces. The Permanent Interagency Commission on Military-Technical Issues of the Ministry of Defence of Georgia will discuss this issue and in accordance with future recommendations the missiles will be destroyed.

Lebanon

[Original: Arabic]
[19 May 2006]

With reference to the above-mentioned subject, this Ministry wishes to state that it has no accumulation of conventional ammunition stockpiles in surplus, in which connection there are consequently no risks. It also wishes to emphasize that appropriate national controls relating to the security, safety and management of conventional ammunition stockpiles have been established under Lebanese laws and special directives with a view to eliminating any of the potential hazards that could arise as a result of the explosion, pollution or conversion of such stockpiles.

Mauritius

[Original: English]
[20 June 2006]

The Republic of Mauritius does not have any surplus of such ammunition. All ammunition on stock with the police is the strict minimum required to meet our internal security needs. On 21 and 27 November 2003, expired ammunition as described below was demolished by detonation under the expert guidance of officers from the British Army School of Ammunition:

No.	*Ammunition*	*Quantity demolished*	*Remarks*
1	Grenade, anti-tank No. 94	32	
2	Fuse electric for armoured car	162	
3	Potassium nitrate	180 oz	
4	Rocket M52	30	
5	Alarm mines	10	
6	Refill for Mace	59	
7	Mace apparatus	52	
8	Offensive hand grenade	10	
9	WASP 58 AC	18	2 kept as exhibits
10	Mortar shell 81 mm	70	20 left to be destroyed pending acquisition of plastic explosive
11	Rocket, explosive 89 mm	39	
12	Rocket, training 89 mm	5	
13	Grenade, anti-personnel AP 34	168	
14	Anti-tank mines and fuses	22	
15	Anti-personnel mines	93	
16	Grenade, defensive	90	
17	Gun powder	100 lbs	

Mexico

[Original: Spanish]
[1 May 2006]

Mexico considers controlling the production and stockpiling of conventional ammunition to be fundamental to the maintenance of national and international peace and security.

Mexico is aware of the risks inherent in the stockpiling of surplus conventional ammunition, which fosters clandestine trafficking in such materiel to non-State actors, promotes violence, jeopardizes the social security and integrity of the State, and eventually becomes a national security problem.

In this regard, Mexico applies the following controls at the national level:

In Mexico, the Federal Firearms and Explosives Act and the regulations pertaining thereto govern activities pertaining to the manufacture, possession, import, export and storage of ammunition and all military materiel. These controls are implemented through the Ministry of Defence.

In this task, the Ministry of Defence is supported by the Army, which is deployed throughout the national territory.

The Ministry of Defence and the Ministry of the Interior are responsible for controlling and monitoring the manufacture, sale, import and export of ammunition, and related activities, pursuant to article 29 of the Federal Public Administration Organ Act and paragraphs 37, 55, 56, 57, 58, 59, 65, 67 and 68 of the Federal

Firearms and Explosives Act. Within their respective spheres of competence, these agencies of the Federal Government are required to supervise and work in coordination with the Ministry of Finance and Public Credit to verify and, if necessary, increase customs controls at border points, ports and airports, so as to safeguard security and safety and eliminate the illicit trafficking, clandestine stockpiling, explosive potential hazards and pollution of ammunition. This is done in compliance with United Nations General Assembly decision 59/515 of 3 December 2004.

In Mexico, the manufacture of conventional ammunition is limited to ammunition produced by the Ministry of Defence to meet part of the needs of the armed forces. Ammunition is also manufactured for legally permitted calibres and for sporting weapons to meet part of the national demand and for export, in small amounts, by three companies that have a general manufacturing licence issued by the Ministry of Defence, which maintains strict controls.

The Ministry of Defence imports ammunition to meet the needs of the armed forces and the security forces.

Control over ammunition sales

The Federal Firearms and Explosives Act limits the sale of ammunition to dealers, who under article 50 of the Act may sell to individuals only:

(a) Up to 500 .22-calibre cartridges;

(b) Up to 1,000 cartridges for shotguns or other weapons using ammunition, new or reloaded, including cartridges of varying calibres;

(c) Up to 5 kilograms of sporting gunpowder for reloading, in cans or boxes, and 1,000 units of each of the component parts of shotgun cartridges, or 100 bullets or cartridge components for other permitted weapons;

(d) Up to a maximum of 200 cartridges for other permitted weapons.

In addition, the Regulations for the Act place time limits on the sale of ammunition, including time limits for repeat sales to the same person.

Article 51 of the Federal Firearms and Explosives Act stipulates that cartridges for the exclusive use of the Army, the Navy and the Air Force are to be sold through an official institution designated by the President of the Republic, on terms and conditions set forth in orders issued by the Ministry of Defence or the Ministry of the Navy, as the case may be.

Article 52 of the Federal Firearms and Explosives Act provides that the Ministry of Defence may issue general administrative instructions establishing terms and conditions for the purchase of ammunition by agencies and entities of the Federal Government, of states, of the Federal District and of municipalities, as well as by individuals requiring ammunition for authorized security services or for shooting sports and hunting.

These provisions will promote the objectives of the Act and create the necessary conditions enabling federal and local authorities to fulfil their duties to protect public safety.

Special permits are required for the sale, donation or exchange of ammunition between individuals.

Imports and exports

The Federal Government, through the Ministry of Defence, has the authority to purchase, export and import ammunition.

Article 84 of the Federal Firearms and Explosives Act establishes a penalty of five to 30 years' imprisonment and fines equivalent to 20 to 500 days' pay at minimum wage for smuggling into the national territory ammunition that is subject to controls or is intended for the exclusive use of the Army, the Navy and the Air Force.

The General Directorate of the Federal Registry of Firearms and Explosives Control has issued the following instructions, which are to be followed at all times:

(a) Military personnel must inspect ammunition imports to verify that the imports or exports correspond to the quantities and characteristics specified in the permits issued by the Ministry of Defence.

(b) When ammunition is to be transferred, military personnel must inspect the vehicles to be used, verifying that the transport is duly authorized. When the ammunition arrives at the facilities of the purchasing company, military personnel must be present and verify delivery of the ammunition, taking note of the quantities and characteristics authorized.

In compliance with national regulations on activities involving ammunition and for security, budgetary and environmental reasons, the Mexican State does not possess surpluses of conventional ammunition. The amounts it holds in stock are those strictly needed by the Mexican Armed Forces and the federal, state and municipal public security agencies to carry out their duties.

Panama

[Original: Spanish]
[24 May 2006]

The Republic of Panama cooperates at the regional and subregional levels in controlling the international transfer of arms, including conventional weapons. Our country has signed the Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel, which includes confidence-building measures among the States of the Region.

Spain

[Original: Spanish]
[May 2006]

The national legal framework and Spain's domestic experience

In Spain, the acquisition and storage of ammunition is regulated by Royal Decree 230/1998, of 16 February, approving the Explosives Regulations. These

Regulations require certain security measures to be applied to each type of storage site and list the cases in which the storage of ammunition is authorized. They also list the various cases in which the manufacture of ammunition is permitted, establishing a series of specific restrictions for such cases. The aim is to make storage sites secure and prevent the accumulation of ammunition in surplus in authorized storage sites by limiting the amount of ammunition that can be possessed or stored, where such possession or storage is authorized.

The regulations also govern the acquisition of ammunition by individuals, according to the type of weapons licence that they own (distinguishing between metallic and non-metallic cartridges), and limit the amount of ammunition that can be acquired and the amount of ammunition that can be placed in storage. The storage of ammunition in factories, reloading facilities, gunsmith's shops and shooting galleries is also regulated, also with the aim of making storage sites secure and preventing the accumulation of stockpiles in surplus.

In Spain's view, the evaluation of the problems arising from the accumulation of conventional ammunition in surplus is closely linked to the earlier processes of manufacture, storage and authorization to acquire ammunition. As a preliminary conclusion, it is clear that the accumulation of ammunition in surplus, i.e., in quantities that exceed an individual's capacity to use or sell it, encourages its diversion to the black market. This risk can certainly be limited by applying control measures similar to those established in Spanish regulations with a view to making storage sites secure and limiting the amount of ammunition that can be accumulated. In addition, Spanish regulations allow inspections to be carried out to ensure compliance with the limits established.

The use of firearms to commit criminal acts and, therefore, the possession of ammunition for the commission of such acts should be seen not as a consequence of the accumulation of ammunition in surplus in general terms, but as a consequence of over-generous regulations regarding the security of storage sites and the amount of ammunition that holders of different weapons licences are authorized to store. The Spanish authorities believe that, in some circumstances, over-generous regulations may encourage the diversion of ammunition in storage (and, therefore, legally held) to criminal sectors.

On the other hand, it has been noted in Spain that imposing the same limits on the amount of ammunition that can be acquired and stored by devotees of Olympic shooting has encouraged the practice of illegally reloading ammunition. The manufacture of "home-made" ammunition, through unauthorized reloading, is probably the main way in which ammunition enters the black market. It also encourages another criminal activity, that of trafficking in the explosive substances (powder and percussion caps) needed to make such ammunition. In the case of Spain, such trafficking usually takes the form of smuggling of such substances from neighbouring countries.

A global approach to the problem

A more global approach to the problem of the accumulation of ammunition, above and beyond each country's own considerations, reveals a very different picture.

The inadequate security at conventional ammunition warehouses and/or the accumulation of conventional ammunition stockpiles in surplus in certain countries or geographic areas that, for various reasons (in particular, a lack of sufficient national legislative and administrative capacity), are not subject to effective intervention and control encourages the diversion of ammunition to criminal circles or the clandestine supplying of conflict areas.

During the meetings of the Open-ended Working Group to Negotiate an International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, the Spanish delegation (and the European Union as a whole) argued that the measures promoted by Spain to control conventional ammunition should be extended to small arms and light weapons. Spain will continue advocating adoption of an instrument that is legally binding and includes provisions relating to ammunition.

Spain also believes that the most important national and regional measure to combat trafficking in conventional ammunition is to strengthen controls on its export. A significant regional example in this regard is the European Union Code of Conduct on Arms Exports, which requires European Union member States to regulate the export of ammunition as defence materiel. In doing so, the European Union seeks to ensure that consignments of ammunition abroad are not diverted to end-users other than those stated.